

Schedule of responses to the  
McGuinness Institute's OIA 2020/07:  
**Moving from Level 4 to Level 3**  
As at 4 Nov 2021

1. Department of the Prime Minister and Cabinet
2. Ministry of Business, Innovation and Employment
3. Ministry of Education
4. Ministry of Health
5. New Zealand Police
6. Office of the Prime Minister
7. The Treasury



**DEPARTMENT OF THE  
PRIME MINISTER AND CABINET**  
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

26 May 2020

Wendy McGuinness  
Chief Executive, McGuinness Institute  
By email: [wmcg@mcguinnessinstitute.org](mailto:wmcg@mcguinnessinstitute.org)

Ref: OIA-2019/20-0485

Dear Wendy McGuinness

**Official Information Act request relating to COVID-19 and moving from Level 4 to 3**

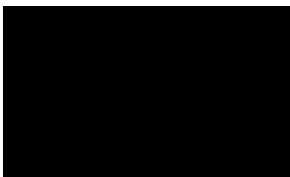
Thank you for your request made under the Official Information Act (the Act) received on 29 April 2020.

As outlined in our letter to you of 13 May 2020, some parts of your request were transferred to the New Zealand Police, Treasury, Ministry of Health, Ministry of Business, Innovation and Employment, Ministry of Education and the Office of the Prime Minister. It was also noted that The Department of the Prime Minister and Cabinet would respond to questions 1, 2(a-d), 5, 7, 7(a-c), 8, 8(a-d), 9(a), 9(c-h), 9(j), 9(l-m), 10, 10(a-b), and 10(d).

I have decided under section 15A of the Act to extend the time limit for deciding on your request by an additional 40 working days. The extension is required because your request necessitates a search through a large quantity of information, and consultations are needed before a decision can be made on your request.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

Yours sincerely



  
**Manager, Ministerial Services**



DEPARTMENT OF THE  
PRIME MINISTER AND CABINET  
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

20 July 2020

Wendy McGuinness  
Chief Executive, McGuinness Institute  
By email: [wmcg@mcguinnessinstitute.org](mailto:wmcg@mcguinnessinstitute.org)

Reference: OIA-2019/20-0485

Dear Wendy McGuinness

**Official Information Act request relating to COVID-19 and moving from Level 4 to 3**

Thank you for your request made under the Official Information Act (the Act), received on 29 April 2020. As you acknowledge, the request is comprised of a large number of questions.

As noted in our response sent to you on the 13 May 2020, some of your questions are more closely connected with the functions of other agencies, and the Office of the Prime Minister. Therefore, we decided to transfer parts of your request under section 14(b)(ii) of the Act.

The Department of the Prime Minister and Cabinet (DPMC) will respond to Questions 1, 2(a-d), 5, 7, 7(a-c), 8, 8(a-d), 9(a), 9(c-h), 9(j), 9(l-m), 10, 10(a-b), and 10(d).

The time frame for responding to your request was extended under section 15A of the Act by 40 working days because it necessitated a search through a large quantity of information, and consultations to be undertaken before a decision could be made on the request. Following this extension, I am now in a position to respond.

Please find below our responses to your questions that remain with DPMC:

**1. What are the key reasons for Cabinet making the decision on Monday 20 April 2020 to move New Zealand from Alert Level 4 to Alert Level 3?**

The New Zealand Government has proactively released papers, minutes, and key advice relating to the decisions the Government has made relating to COVID-19. This includes information that informed the decision that Cabinet made to move New Zealand from Alert Level 4 to Alert Level 3. Accordingly, I am refusing this part of your request under section 18(d) of the Act, as the information requested is or will soon be publicly available. This information can be found here: <https://covid19.govt.nz/resources/key-documents-and-legislation/proactive-release/>

Nevertheless, I will provide some of the key reasons below for your information.

On 14 April 2020, Cabinet noted that the principal matters that needed to be taken into consideration in determining whether we could step down from Alert Level 4 in all or part of New Zealand. These were:

- That the Director-General of Health, Dr Ashley Bloomfield, is satisfied that:
  - there is sufficient data from a range of sources including testing and surveillance that public health experts, statisticians and modellers can have reasonable certainty that undetected transmission is unlikely;



- there is sufficient capacity and capability in our testing and contact tracing, with surge capacity available in the case of an outbreak;
- our self-isolation, quarantine and border measures are sufficiently robust and adhered to;
- there is capacity in the health system more generally, including the workforce and ICU capacity (plus the availability of PPE for those for whom it is recommended);
- evidence of the effects of the measures on economy and society more broadly;
- public attitudes towards the measures and extent to which people and businesses understand, accept, and abide by them; and
- our ability to operationalise these restrictions, including satisfactory detailed implementation planning by the All-of-Government team and government agencies.

In line with these requirements, information was presented to Cabinet on the 20 April 2020, which tested the situation against the above criteria.

It was noted that New Zealand was making good progress on our strategy to eliminate COVID-19. Importantly, the Director-General of Health confirmed that he now had reasonable confidence that undetected community transmission was unlikely and that there was sufficient capacity in the health system generally, including workforce and intensive care unit capacity to deal with an increase in COVID-19 cases. Other social, economic and operational considerations were discussed.

This review of our situation suggested that there could be either a cautious relaxation of the Alert 4 controls nationwide or a continuation of Level 4 for an additional period to firm up our confidence in the data (and particularly in places where we had relatively less information).

At the time, both the Cabinet and the Director-General of Health supported a short extension of Level 4 controls for five more days and it was agreed to move to Level 3 controls after Anzac Day weekend (i.e. from midnight on Monday 27 April 2020).

The modelling data at the time suggested that the longer we were in lockdown, the more confidence we could have that we were really on top of the spread of the disease and that it wouldn't make a comeback. It would allow time for more data to come through, including more results from the extra testing that was being done to boost our knowledge of the situation in particular communities. Additional time in lockdown would also potentially be preferable to going back to Level 4 at a nationwide level later. This was considered a balanced approach between a long extension and an immediate move to Alert 3.

**2. We appreciate that there was a considerable number of documents that were relied upon to make the decision; to this end:**

**a. Can you provide the agenda and attendees of the Monday Cabinet meeting?**

In response to this question that asks for the agenda and attendees of the Cabinet meeting on 20 April, unfortunately, due to the consultations required on this, there have been delays in the processing this information. We will provide you with a response on the balance of this further information as soon as we are able. If we have not provided a response to the remainder of your request by 20 August 2020, we will contact you to update you on our progress. Please be assured, if it is at all possible, we will respond to your request sooner.

**b. Can you provide soft copies of all Cabinet papers relevant to the decision, including minutes of Cabinet, Cabinet policy papers, and Cabinet committee decisions? This may include, for example, other relevant documents distributed to Cabinet prior to the agenda.**



In response to parts 2(b), (c) and (d) of your request, the Department is not able to assess Cabinet material for release for which it is not responsible as Cabinet material belongs to the respective Ministers and departments that bring an item to Cabinet and Cabinet committees. We note that the Government is proactively releasing Cabinet papers, minutes and key advice for the decisions made by the Government relating to COVID-19. At the time of writing, Cabinet material has been proactively released up to 17 April 2020. Material that supports final decisions made after 17 April will be released in a further update. The Department therefore refuses this information requested in parts 2 (b), (c) and (d) under section 18(d) of the Act.

**c. Can you list the titles, dates and authors of all other specific documents provided to Cabinet for decision making (i.e. reports, papers, memos, letters, advice, emails and/or internal policies or guidelines)?**

Please see the response to question 2(b).

**d. Can you please provide links to or soft copies of all of the documents listed above?**

Please see the response to question 2(b).

**5. Does Cabinet expect to progress a legislative instrument specific to Level 2 (i.e. a Health Act (COVID-19 Alert Level 2) Order 2020)?**

Yes, this has occurred in the time since you made your request, and it is now published in the New Zealand Gazette and is publically available at the following address:  
<http://legislation.govt.nz/regulation/public/2020/0084/latest/LMS345237.html>

**7. The language around the Alert Levels has changed (see table below).**  
**a. Can you explain what led to these changes?**

It was felt that having 'eliminate' as the keyword for Alert Level 4 was potentially confusing given that the elimination strategy can be applied across all alert levels. Also, at that time, 'lockdown' had become the word in more general use by the public.

It is important to continue to refine and adjust the Alert Level tables as we attain more experience around their use.

**b. Is the language around Level 1 likely to change from 'Prepare' to something else?**

We have moved to Alert Level 1, and the keyword is still 'prepare'.

**c. Is there an Alert Level for permanent zero active cases in New Zealand while cases are still active globally? The answer to this question relates indirectly to your answer to question 6 (b).**

Alert Levels are based on a range of health risk assessments using the best evidence available at the time. Cabinet makes the final decision to move between Alert Levels.

While the number of active cases in New Zealand and overseas are factors in deciding Alert Levels, they are not the only consideration.

	Alert Level keyword (as at 23 March 2020)	Alert Level keyword (as at 16 April 2020)
Alert Level 4	Eliminate	Lockdown
Alert Level 3	Restrict	Restrict
Alert Level 2	Reduce	Reduce
Alert Level 1	Prepare	Prepare

**8. How does Government make the decision to move from one level to another?**

Alert Levels are based on a range of health risk assessments using the best evidence available at the time. Cabinet makes the final decision to move between Alert Levels. Further information on this can be found in the Governments proactive release of documents relating to the response to COVID-19 here:

<https://covid19.govt.nz/updates-and-resources/legislation-and-key-documents/proactive-release/>

**a. What would need to happen for Government to move back to Level 4?**

The known or projected impact of COVID-19 would need to meet the risk threshold that community transmission is occurring and there are widespread outbreaks and new clusters. Cabinet makes the final decision to move between Alert Levels.

More information can be found here:

<https://covid19.govt.nz/assets/resources/tables/COVID-19-alert-levels-summary.pdf>

**b. What criteria is being used by Government to move from one level to another?**

General criteria is based on a risk assessment of the best available evidence. Any decision to move between levels is ultimately decided by Cabinet.

**c. What is the goal each level is trying to achieve? For example, what does 'prepare' mean in practice when we return to Level 1 (the answer to this question relates to your answer to question 7(b))?**

The goal for each level was to provide a proportionate response in line with the perceived level of risk. The wider goal is for New Zealand to work together to eliminate COVID-19.

**d. What is DPMC's advice to Government on how such decisions should be made?**

Key decisions and supporting advice that DPMC has provided to the Government on this matter, has been considered as part the proactive release that can be found here:

<https://covid19.govt.nz/updates-and-resources/legislation-and-key-documents/proactive-release/>

**9. How has the Government's pandemic response to date been different from what was originally planned under the 2017 New Zealand Pandemic Influenza Plan?**

In relation to this question, we understand that the Ministry of Health has provided a substantive response to this question as the agency responsible for the plan.



- a. Why was the alert system changed from the colour-coded alert system (see Table 3: Health and disability sector alert codes on p. 36 of the 2015 National Health Emergency Plan) to the four alert levels New Zealand has at present?**

The alert level system factored in the dynamic nature of the situation surrounding COVID-19 and provided practical guidance for what should be done at that level. The alert level system recognised that there may be a need to move between levels. The Health and disability alert codes are phrased in a way that implies that a single event. Therefore, the alert level system was perceived to be easier to understand.

- c. What is the title of the group/organisation/committee tasked with reporting on the whole of government response to the Prime Minister/Cabinet?**

The All of Government response group, with support from the NCMC, has primarily fulfilled this. However, other agencies have still provided departmental reports to the Government on the ongoing response to COVID-19.

- d. Is the NHCC still in existence and who does/did the NHCC report to?**

The National Health Coordination Centre (NHCC) reported to the Ministry of Health (Health). Health will be best placed to respond to any queries on this subject.

- e. When was the NCMC established? Does the NCMC still exist?**

The National Crisis Management Centre (NCMC) was activated from 10 March to 30 June 2020.

- f. Did DPMC take over from the NHCC or the NCMC (if yes, please explain when and the type of relationship)?**

The Department of the Prime Minister and Cabinet (DPMC) took over from the NCMC on 1 July 2020 as a Coordinated Incident Management System (CIMS) structure was no longer required. Some of the staff that worked in the NCMC continued in the new DPMC construct.

- g. What role did NEMA have in New Zealand's pandemic response and how does their current involvement align with what was envisaged under the 2017 New Zealand Pandemic Influenza Plan?**

The National Emergency Management Agency (NEMA) was responsible for the establishment and running of the NCMC. NEMA was also responsible for leading the Welfare and Civil Defence and Emergency Management (CDEM) Pillars in accordance with the New Zealand Influenza Pandemic Plan (NZIPAP). The Welfare Pillar later became the Caring for Communities (CfC) work stream under the Ministry of Social Developments lead, with the NEMA Welfare team responsible for the Service Delivery & Coordination output of that work stream. The Chief Executive NEMA was part of the CfC leadership team. The Director CDEM (Deputy Chief Executive, NEMA) was part of the COVID-19 leadership team. During the State of National Emergency the Director CDEM fulfilled the National Controller role, and during the National Transition Period the National Recovery Manager role in accordance with the CDEM Act 2002.

- h. Will documents published by MCDEM be reviewed and updated by the replacement agency NEMA? Some of these documents date back to 2005.**

All references to the Ministry of Civil Defence and Emergency Management (MCDEM) on websites, documents, Director's Guidelines, codes or standards etc. are to be read as a



reference to NEMA. NEMA was established on 1 December 2019 replacing MCDEM, and continues the document revision schedule that applied in MCDEM.

**j. *Is a review of the 2017 New Zealand Pandemic Influenza Plan being considered?***

Please refer to our response provided to question 9.

**l. *What other processes, instruments or institutions have been/are being created to help advise Government in the future that are not mentioned in the 2017 New Zealand Pandemic Influenza Plan? Please explain.***

Please refer to our response provided to question 9.

**m. *Has there been any thought on how Government might better share information and improve trust, transparency and openness going forward during a pandemic?***

Please refer to the response provided to question 10 and 10(d).

**10. *Are there any processes in place to collate lessons learnt?*  
*Note: We consider that it is highly likely New Zealand will be faced with another epidemic (and possibly a pandemic) in the short to medium term. As there has not been a vaccine developed to date for any human coronavirus we believe New Zealand must learn lessons quickly and actively prepare for the next novel virus.***

I note that DPMC has a number of business units that are currently involved in the response to COVID-19 and providing advice on the matter. Broadly, I can advise that DPMC (including NEMA) regularly undertakes a review of its own response to events. The review generally follows the standard process following each response with a debriefing, capturing lessons, and identifying any internal corrective actions that may be necessary.

**a. *Please advise who is responsible for collating reflections and lessons learned?***

Each business unit within DPMC is responsible for undertaking a review of their involvement in the response.

**b. *What would DPMC do differently?***

Notwithstanding the response to COVID-19 is still ongoing, we expect that the internal business unit reviews will identify matters that could be done differently. Those findings will be reviewed and where appropriate, corrective actions taken.

**d. *What has been actioned to improve New Zealand's ability to cope with the next epidemic or pandemic?***

The Chair of the Officials' Committee for Domestic and External Security Coordination (ODESC) has commissioned a high level rapid review. The purpose of this is to assess the overall National Security System's COVID-19 response to enable continuous improvement. It aims to identify what went well (and should be reinforced) and also what could be improved. The focus is to be on the efficacy of agency and All-of-Government structures, processes, accountabilities and effectiveness, and will cover both response and recovery aspects during the reference period (1 January to 30 June 2020). The primary objective is to provide advice on optimal structures and processes in the event of a significant resurgence in the COVID-19 risk to New Zealand. At the time of responding to this OIA, the Terms of Reference are still being finalised.

In making my decision, I have taken the public interest considerations in section 9(1) of the Act into account.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

We do not intend to publish this response on the Department of the Prime Minister and Cabinet's website.

Yours sincerely



**Deputy Chief Executive,  
COVID-19 AoG Response Group**





**From:** [REDACTED]  
**Date:** Thursday, 14 May 2020 at 6:31 PM  
**To:** Wendy McGuinness <[wmcg@mcguinnessinstitute.org](mailto:wmcg@mcguinnessinstitute.org)>  
**Subject:** Acknowledgement of your Official Information Act Request (1920-1597)  
[UNCLASSIFIED]

Ref: 1920-1597

Dear Wendy,

On behalf of the Ministry of Business, Innovation and Employment I acknowledge your email of 29 April 2020 requesting under the Official Information Act 1982 (the Act), the following:

*4. Can you confirm the number of people working in Level 4 and the number of people working in Level 3 that were not working from home? 4.a. Can you confirm the approximate number of people that were not working from home in Level 4? 4.b.(i) Can you confirm (i) the approximate number of additional workers expected to not be working from home in Level 3...*

Your request is being processed in accordance with the Act and a response will be sent to you in due course.

Please note, due to ongoing COVID-19 response work, requests are currently being triaged and those relating to Covid-19 processed as a priority. Remaining requests are being assessed as per the Ombudsman's guidance (which can be found here: [www.ombudsman.parliament.nz/news/chief-ombudsmans-statement-official-information-response-times-during-covid-19-emergency](http://www.ombudsman.parliament.nz/news/chief-ombudsmans-statement-official-information-response-times-during-covid-19-emergency)) and processed accordingly.

If you have any enquiries regarding your request, or its urgency, feel free to contact us via email at [REDACTED]

Nāku noa, nā  
MINISTERIAL SERVICES

Corporate, Governance and Information  
Ministry of Business, Innovation and Employment  
Level 4, 15 Stout Street, PO Box 1473, Wellington 6140  
NZBN 9429000106078

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03 June 2020

File No. DOIA 1920-1597

Wendy McGuinness  
Chief Executive  
McGuinness Institute  
wmcg@mcguinnessinstitute.org

Dear Wendy McGuinness

Thank you for your email dated 29 April 2020 to the Department of the Prime Minister and Cabinet. On 13 May 2020, the Ministry of Business, Innovation and Employment (MBIE) accepted a partial transfer of your request for the following information under the Official Information Act 1982 (the Act):

*4. Can you confirm the number of people working in Level 4 and the number of people working in Level 3 that were not working from home?*

*a. Can you confirm the approximate number of people that were not working from home in Level 4?*

*b. Can you confirm (i) the approximate number of additional workers expected to not be working from home in Level 3*


In response to part 4a of your request, MBIE estimates that under Alert Level 4, 529,000 essential workers were going out to work.

In response to part 4b(i) of your request, MBIE estimates that under Alert Level 3, 1,172,000 workers were going out to work. This figure is an increase of 643,000 people from the estimate of those going out to work during the Alert Level 4 conditions.

I hope you find this information useful.

You have the right to seek an investigation and review by the Ombudsman of my decision. The relevant details can be found at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Yours sincerely

  
General Manager - Evidence and Insights



**From:** [REDACTED]  
**Date:** Thursday, 14 May 2020 at 9:28 AM  
**To:** Wendy McGuinness <[wmcg@mcguinnessinstitute.org](mailto:wmcg@mcguinnessinstitute.org)>  
**Subject:** OIA Request 1228508 - Acknowledgement

Dear Wendy McGuinness

Thank you for your request for information, that was part transferred to the Ministry of Education for:

*4. Can you confirm the number of people working in Level 4 and the number of people working in Level 3 that were not working from home?*

The Ministry will consider and respond to your request in accordance with the Official Information Act 1982 (the Act).

The Act allows up to 20 working days for a response, making 11 June 2020 the latest date for our response to you. If more than 20 working days are needed due to the potential workload involved in answering your request, we will notify you accordingly.

Please note, the Ministry may publicly release on our website the response to your request five days after you have received it. Any personal information will be removed.

In the interim, if you have any questions about your request, please email [REDACTED]

Thanks

**Enquiries National Team | Ministry of Education | TW**  
33 Bowen St, Wellington

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*We get the job done* Ka oti i a mātou ngā mahi

*We are respectful, we listen, we learn* He rōpū manaaki, he rōpū whakarongo, he rōpū ako mātou

*We back ourselves and others to win* Ka manawanui ki a mātou, me ētahi ake kia wīkitoria

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**From:** [REDACTED]  
**Date:** Thursday, 11 June 2020 at 2:10 PM  
**To:** Wendy McGuinness <[wmcg@mcguinnessinstitute.org](mailto:wmcg@mcguinnessinstitute.org)>  
**Subject:** OIA response - ref 1228508

Tēnā koe Wendy

On 13 May 2020 The Department of the Prime Minister and Cabinet transferred to the Ministry of Education part of a request you had made under the Official Information Act 1982 (the Act). The Ministry is responding to your request for

- *The approximate number of children expected to be physically attending school in Level 3.*

Your request has been considered under the Act.

With the movement into Alert Level 3, the guidance for schooling and education in schools and ECE centres was it was expected that all children and young people were to continue learning from home if they can, if they could stay at home they should stay at home. Early learning and schools were open from Wed 29 April for up to Year 10 under Alert Level 3, with Years 11-13 continuing to learn at home.

The expected attendance rates at school and early learning services nationally for entering into Alert Level 3 (as at 25 April 2020) was;

- 14,226 ECE children; and
- 28627 School children

The Ministry sourced this information from schools and early learning services across each education region. This data was based upon information provided from parents and caregivers to schools and early learning services and serves as an expectation of attendance only.

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā

**Enquiries National Team | Ministry of Education | AG**

[education.govt.nz](http://education.govt.nz)

*We shape an education system that delivers equitable and excellent outcomes  
He mea tārai e mātou te mātauranga kia rangatira ai, kia mana taurite ai ōna huanga*



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13 May 2020

Dr Ashley Bloomfield  
Director-General of Health and Chief Executive  
Ministry of Health  
By email: [REDACTED]

Reference: OIA-2019/20-0485

Dear Dr Ashley Bloomfield

**Official Information Act request relating to COVID-19 and moving from Level 4 to 3**

On 29 April 2020 the Department of the Prime Minister and Cabinet (DPMC) received the **attached** Official Information Act (the Act) request from Wendy McGuinness, Chief Executive of McGuinness Institute. The request is comprised of a large number of questions.

I believe that the information requested in questions 6, 6.a. and b., 9, 9.b., 9(j-l) 10, 10(a) and 10(d).are more closely connected with the functions of the Ministry of Health (MoH):

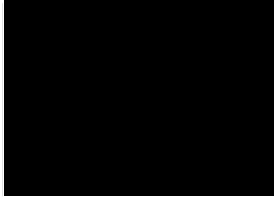
6. *What does elimination mean in practice?*
- 6.a. *Can you explain what that means in practice? In particular, is the goal to eradicate the virus...*
- 6.b. *In terms of public policy terminology, if 'elimination' does not mean zero cases, could the word 'eradication' be used to describe permanent zero cases is there a preference for 'permanent eradication'?...*
9. *How has the Government's pandemic response to date been different from what was originally planned under the 2017 New Zealand Pandemic Influenza Plan?*
- 9.b. *Is a review of the 2015 National Health Emergency Plan being considered?*
- 9.j. *Is a review of the 2017 New Zealand Pandemic Influenza Plan being considered?*
- 9.k. *Is it time to remove the term 'influenza' from the title 2017 New Zealand Pandemic Influenza Plan to become the New Zealand Pandemic Plan (to reflect that viruses that cause pandemics are not limited to an influenza virus)?*
- 9.l. *What other processes, instruments or institutions have been/are being created to help advise Government in the future that are not mentioned in the 2017 New Zealand Pandemic Influenza Plan? Please explain.*
10. *Are there any processes in place to collate lessons learnt?*
- 10.a. *Please advise who is responsible for collating reflections and lessons learned?*
- 10.d. *What has been actioned to improve New Zealand's ability to cope with the next epidemic or pandemic?*

Accordingly, I have decided under section 14(b)(ii) of the Act to transfer those parts of the request to you, as the Director-General of Health and Chief Executive of MoH.

Please note, as outlined in our transfer letter to Ms McGuinness, some questions overlap with DPMC and MoH. We will ensure that MoH is consulted, as appropriate, in our responses to these questions.

I have today informed the requestor of the transfer, and that you have 20 working days to make a decision.

Yours sincerely



  
**Manager, Ministerial Services**

Enc: Copy of request and letter advising of the transfer



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T+64 4 496 2000

Ms Wendy McGuinness  
wcmcguinnessinstitute.org

Ref. DR20933

Tēnā koe Ms McGuinness

Thank you for your correspondence of 29 April 2020 to the Chief Executive of the Department of the Prime Minister and Cabinet, Mr Brook Barrington. Your correspondence has been forwarded in part to the Ministry of Health to address a number of the questions that you have raised. I appreciate you taking the time to write.

In response to your questions raised in part six of your letter, I am happy to provide you with information on our elimination strategy and what that means in practice.

Our elimination strategy is a sustained approach to keep it out, find it and stamp it out. We do this through: controlling entry at the border with routine quarantine or supervised self-isolation for 14 days; disease surveillance; physical distancing and hygiene measures; testing for and tracing all potential cases; isolating cases and their close contacts; and broader public health controls depending on the Alert Level we are in.

Elimination does not mean the virus is eradicated permanently from New Zealand, but rather that chains of transmission in our communities have been eliminated and any future cases that are imported are contained. To eradicate the virus refers to the complete and permanent worldwide reduction to zero new cases of the disease through deliberate efforts.

In response to your questions in part nine of your correspondence, the *New Zealand Influenza Pandemic Plan* is as its full title states, a framework for action. As a result, there will be some differences in what it lays out as guidelines and what was done to respond to COVID-19.

On 15 April 2020, the Ministry of Health published the *COVID-19 Health and Disability System Response Plan*. The COVID-19 Response Plan uses the Pandemic Plan as a framework, along with information from other sources to outline the plan for the Health and Disability System to respond to the unique characteristics of COVID-19. You can find both plans on the Ministry's website ([www.health.govt.nz](http://www.health.govt.nz)) by searching their titles.

You may be pleased to know that the Ministry's Emergency Management team plans to review both the *New Zealand Health Emergency Plan* and the *New Zealand Influenza Pandemic Plan*. I am advised that whether the Pandemic Plan retains the term 'influenza' in its title would be considered during such a review.

While the response to COVID-19 is still ongoing, the Ministry continues to proactively review elements of its processes and work. For example, you may be interested to know that the Ministry commissioned Dr Ayesha Verrall to conduct an independent review of its contact-tracing approach to improve the ability to rapidly trace and contain COVID-19 cases in New Zealand. Dr Verrall's audit was published 20 April 2020 and her report, along with her follow-up advice, can be found on the Ministry's website ([www.health.govt.nz](http://www.health.govt.nz)) by searching 'audit of contact tracing'.

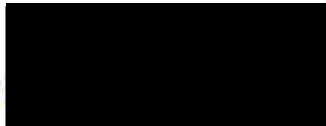
From a sector perspective, we have reviewed the Aged Residential Care preparedness and response to COVID-19. Independently, the Auditor-General has reviewed the Ministry's management of personal protective equipment, and work is underway to respond to the report's recommendations.

In terms of a wider review of the health system response, or of the all of Government response to COVID-19, commissioning of such a review would fall to Government officials or agencies independent from the Ministry. As you have noted, a review would give the health sector, public service and the wider community the opportunity to learn from this experience and build on planning, management, and operational capabilities for future incidences. The Ministry would welcome this level of review for these reasons.

The Ministry along with other agencies that contributed to the all of Government response to COVID-19 has proactively released key documents relating to its decisions. If you have not done so already, you may be interested in reviewing these documents, which can be found on the COVID-19 website ([uniteforrecovery.govt.nz](http://uniteforrecovery.govt.nz)) by searching 'proactive release'. The Ministry will be publishing its second proactive release soon.

Thank you again for taking the time to write. I hope this information is useful, and I wish you well.

Nāku noa, nā



**Director  
COVID-19 Hub**

**From:** [REDACTED]  
**Date:** Thursday, 14 May 2020 at 1:45 PM  
**To:** Wendy McGuinness <[wmcg@mcguinnessinstitute.org](mailto:wmcg@mcguinnessinstitute.org)>  
**Cc:** [REDACTED]  
**Subject:** OIA Request Acknowledgement IR-01-20-12823: DPMC Partial OIA Transfer – [McGuinness] OIA-2019/20-0485

Dear Ms McGuinness

I acknowledge receipt of your Official Information Act (OIA) request (attached), partially transferred to NZ Police by the Department of Prime Minister & Cabinet on 13 May 2020.

As you are aware, Police are needing to redeploy staff in the face of unprecedented circumstances as we respond to Covid-19. This will have a severe impact on our ability to respond to requests for information under the OIA in a timely fashion. However, we recognise your request is a matter of high public interest, and we will do our best to respond to you as soon as we can.

Thank you for your understanding.

Kind regards  
Ministerial Services  
PNHQ

**From:** Wendy McGuinness <[wmcg@mcguinnessinstitute.org](mailto:wmcg@mcguinnessinstitute.org)>  
**To:** "[REDACTED]" <[REDACTED]>  
**CC:** [REDACTED], [REDACTED]  
**Subject:** OIA - Moving from Level 4 to Level 3  
**Date:** Wed, 29 Apr 2020 05:02:08 +0000

Attention: Brook Barrington

To whom it may concern,

**Moving from Level 4 to Level 3**

Please accept the following letter as a request under the OIA.

If you have any questions or queries, please do not hesitate to contact me.

Kind regards, Wendy

PS: I have copied in the team at the MoH (so that they are aware of this OIA).

Institute:Folder - Images and Branding - Sun:Branding, Marketing, Business Cards -  
WMCG:McGuinness Institute Branding:Email Signature:20150618 MI logo for Email  
signature-01.png Wendy McGuinness

Chief Executive

signature\_509209988

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The McGuinness Institute is a non-partisan think tank working towards a sustainable future, contributing strategic foresight through evidence-based research and policy analysis.

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*(See attached file: Transfer letter to Police.pdf)(See attached file: Your OIA request.pdf) (See attached file: 20200429 DPMC OIA COVID-19 FINAL 5.00pm .pdf)*

-----Forwarded by Fiona MOFFITT2/POLICE/NZ on 14/05/2020 01:44PM -----

To: [wmcg@mcguinnessinstitute.org](mailto:wmcg@mcguinnessinstitute.org)

From: [REDACTED]

Date: 14/05/2020 01:34PM

Cc: [REDACTED]

Subject: OIA Request Acknowledgement IR-01-20-12823: DPMC Partial OIA Transfer – [McGuinness] OIA-2019/20-0485

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The information contained in this email message is intended for the addressee only and may contain privileged information. It may also be subject to the provisions of section 50 of the Policing Act 2008, which creates an offence to have unlawful possession of Police property. If you are not the intended recipient of this message or have received this message in error, you must not peruse, use, distribute or copy this message or any of its contents.

Also note, the views expressed in this message may not necessarily reflect those of the New Zealand Police. If you have received this message in error, please email or telephone the sender immediately





22 July 2020

Our Reference: IR-01-20-12823

Ms Wendy McGuinness  
Email: [wmcq@mcguinnessinstitute.org](mailto:wmcq@mcguinnessinstitute.org)

Dear Ms McGuinness,

I am writing in response to the email you submitted 29 April 2020. You requested information relating to COVID-19 regarding moving from Level 4 to 3. Your request has been considered pursuant to the Official Information Act 1982.

As you have been previously advised, I will only be responding to Question 9(i) of your request. This section of your question was:

*9(i) What role did New Zealand Police have in New Zealand's pandemic response and how does their current involvement align with what was envisaged under the 2017 New Zealand Pandemic Influenza Plan?*

I will answer this question in two parts.

The role of the New Zealand Police in the Pandemic Response is to act in a support role to the Ministry of Health (the lead agency). Police is in charge of leading the Law and Order and Emergency Services work stream and must:

- 1) MAINTAIN LAW and ORDER
- 2) respond to requests from the Medical Officer of Health
- 3) take all measures within their power and authority to protect life and property, and to assist with the movement of rescue, medical, fire and other external services
- 4) assist the coroner as required by the Coroners Act 2006
- 5) coordinate movement control over land, including communications and traffic control

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### **Police National Headquarters**

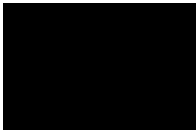
180 Molesworth Street. PO Box 3017, Wellington 6140, New Zealand.  
Telephone: 04 474 9499. Fax: 04 498 7400. [www.police.govt.nz](http://www.police.govt.nz)

*How does the New Zealand Police align their current involvement with what was envisaged under the 2017 New Zealand Pandemic Influenza Plan?*

Involvement of Police in a Pandemic has not changed since the 2017 New Zealand Pandemic Influenza Plan, as our role is that of a supportive one rather than leading in a major Health related event, as outlined in both plans.

You have the right, under section 28(3) of the Official Information Act 1982, to ask the Ombudsman to review my decision if you are not satisfied with the way I have responded to your request.

Yours sincerely



Superintendent  
**National Manager: Response & Operations**



## Prime Minister

Minister for Arts, Culture &amp; Heritage

Minister for Child Poverty Reduction

Minister for National Security &amp; Intelligence

Wendy McGuinness  
 Chief Executive, McGuinness Institute  
 By email: [wmcg@mcguinnessinstitute.org](mailto:wmcg@mcguinnessinstitute.org)

29 JUN 2020

Ref: PMO 2020-092

Dear Wendy McGuinness

**Official Information Act request relating to a public or government inquiry into COVID-19 response**

Thank you for your Official Information Act 1982 (the Act) request, part of which was transferred from the Department of the Prime Minister and Cabinet to the Prime Minister, Rt Hon Jacinda Ardern on 13 May 2020. You requested:

*10 Are there any processes in place to collate lessons learnt?*

*Note: We consider that it is highly likely New Zealand will be faced with another epidemic (and possibly a pandemic) in the short to medium term. As there has not been a vaccine developed to date for any human coronavirus we believe New Zealand must learn lessons quickly and actively prepare for the next novel virus.*

*c. Is a public or government inquiry (under the Inquiries Act 2013) into the Government's response to the pandemic likely?*

Cabinet has not made any decisions regarding a public or government inquiry under the Inquiries Act 2013 in relation to COVID-19. The Government's primary focus has been on the health response, as well as, preventing COVID-19 and it will now take the same approach to the recovery of New Zealand's economy.

Throughout the response, action has been taken to ensure systems and responses are meeting expectations. In particular, the work undertaken by the Contact Tracing Assurance Committee and the Rapid Audit of Contact Tracing for COVID-19 in New Zealand, available publically here: [https://www.health.govt.nz/system/files/documents/publications/contact\\_tracing\\_report\\_verrall.pdf](https://www.health.govt.nz/system/files/documents/publications/contact_tracing_report_verrall.pdf). Additionally, the government has undertaken reviews of the management of personal protective equipment, available here: <https://oag.parliament.nz/2020/ppe/docs/ppe.pdf> and of COVID-19 clusters within aged care facilities, available here: <https://oag.parliament.nz/2020/ppe/docs/ppe.pdf>.

I trust you find this information useful.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

Yours sincerely

**Chief of Staff**



TE TAI ŌHANGA  
THE TREASURY

Reference: 20200182

10 June 2020

Wendy McGuinness  
McGuinness Institute  
wmcg@mcguinnessinstitute.org

Dear Wendy

Thank you for your request made under the Official Information Act, received on 13 May 2020. You requested:

- “3. Was a cost-benefit analysis undertaken of a range of options for if/when New Zealand was to be moved out of Level 4?  
3.a. If yes, could these options be described in detail? We would appreciate a soft copy of the detailed cost-benefit analysis.  
3.b. If no, was this due to timing issues? Please explain.”*

Several proactive releases of information are planned for advice provided to the Government on the economic impact of COVID-19. This information may include some of the material in scope of your request. The first information release was published on the Department of Cabinet and Prime Minister website on 8 May: [www.covid19.govt.nz/resources/key-documents-and-legislation/proactive-release/](http://www.covid19.govt.nz/resources/key-documents-and-legislation/proactive-release/). Several further releases are planned over the coming weeks.

If any of the specific information you requested is not covered by the proactive release, under section 15A of the Official Information Act I am extending the time limit for deciding on your request by an additional 40 working days. If the extension is required, the new due date for responding to your request is 6 August 2020. If the proactive releases that have taken place by 9 July 2020 have not responded to your request, please let us know and we will reactivate it.

The Treasury, along with a number of government agencies, is currently directing resources towards its response to COVID-19. This will mean the consultations required to make a decision on your request are likely to take longer than usual. This is the reason for the length of the extension, should it be required for information not covered by the proactive releases that have taken place by 9 July 2020.

This extension will also apply to the time limit for transferring your request, should this become relevant.

Notwithstanding this extension, I undertake to make a decision on your request as soon as reasonably practicable.

1 The Terrace  
PO Box 3724  
Wellington 6140  
New Zealand  
tel. +64-4-472-2733

<https://treasury.govt.nz>

Finally, I acknowledge this is a different approach compared with the usual approach to responding to an official information request that may be partly or fully covered by a proactive release. If, after the proactive releases that have taken place by 9 July 2020, the documents you requested are not covered, please let us know what is a priority for you and we will endeavour to get this priority information to you well within the new deadline.

Should you have any questions about this or any other aspect of your request please contact [REDACTED]

You have the right to ask the Ombudsman to investigate and review this decision.

Yours sincerely

[REDACTED]  
**Acting Manager, COVID Strategy**





TE TAI ŌHANGA  
THE TREASURY

Reference: 20200182

5 August 2020

Wendy McGuinness  
McGuinness Institute  
wmcg@mcguinnessinstitute.org

Dear Wendy

Thank you for your Official Information Act request, received on 13 May 2020. You requested:

*“3. Was a cost-benefit analysis undertaken of a range of options for if/when New Zealand was to be moved out of Level 4?*

*3.a. If yes, could these options be described in detail? We would appreciate a soft copy of the detailed cost-benefit analysis.*

*3.b. If no, was this due to timing issues? Please explain.”*

As you are aware, on 10 June 2020, I wrote to inform you that some of the information within the scope of your request would be covered by several planned proactive releases. I also extended the timeframe to respond to the remainder of your request by an additional 40 days to 6 August 2020.

I am now addressing the remainder of your request. The information you requested on Treasury’s advice on Alert Levels is covered under a separate OIA request, which will soon be published on the Treasury website. The link to where this information will be released is provided in the table below (item 3). I anticipate this item to be published by the end of August 2020.

In response to your questions, no cost-benefit analysis was undertaken to inform the decision to move out of Level 4. The decision to adopt an Elimination Strategy and Alert Levels approach happened very early in the response to COVID-19. In advising on Alert Levels, the Treasury was working with ambiguity and uncertainty and used scenario-based advice to inform decision-making as the response to COVID-19 developed. Our approach to estimating the impacts of the Alert Levels looked at the relative activity loss from different Alert Level settings compared with pre-COVID-19 GDP.

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New Zealand  
tel. +64-4-472-2733

<https://treasury.govt.nz>

The need for a swift response, and one that traversed an extensive range of measures across Government, meant there was little time for traditional consultation and, in order to respond swiftly, advice and analysis had to be broad with wide coverage.

### Information Publicly Available

The following information is covered by your request and is or will soon be publicly available on the COVID-19 and Treasury website:

Item	Document Description	Website Address
1.	Proactive release	<a href="https://covid19.govt.nz/updates-and-resources/legislation-and-key-documents/proactive-release/">https://covid19.govt.nz/updates-and-resources/legislation-and-key-documents/proactive-release/</a>
2.	COVID-19 information releases	<a href="https://treasury.govt.nz/information-and-services/new-zealand-economy/covid-19-economic-response/information-releases">https://treasury.govt.nz/information-and-services/new-zealand-economy/covid-19-economic-response/information-releases</a>
3.	The cost and benefits of different strategies to handle the spread of Covid-19	Will soon be published: <a href="https://treasury.govt.nz/publications/other-official-information/responses-official-information-act-requests">https://treasury.govt.nz/publications/other-official-information/responses-official-information-act-requests</a>

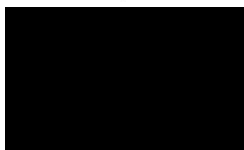
Accordingly, I have refused your request for the documents listed in the above table under section 18(d) of the Official Information Act:

- the information requested is or will soon be publicly available.

Please note that this letter (with your personal details removed) and enclosed documents may be published on the Treasury website.

This reply addresses the information you requested. You have the right to ask the Ombudsman to investigate and review my decision.

Yours sincerely



Manager, COVID Strategy and Governance